

40.500.010 Summary of Procedures and Processes

A. Purpose and Applicability.

1. This chapter describes how the county will process applications for development subject to review under the UDC and Title 14, and is intended to identify the procedure for determining whether development proposals are, or can be conditioned or mitigated to be, consistent with applicable policies and standards. Consistency is determined by consideration of substantial evidence in the record that is relevant to these policies and standards.
2. Interpretations and Authority. Upon request, the responsible official shall issue a formal written interpretation of a development regulation. A formal written interpretation shall be a Type I action and shall be subject to the appeal provisions of Section 40.510.010(E). If an application for an interpretation is associated with another application(s) subject to this title, then the application for the interpretation shall be combined with the associated application(s) and is subject to the same procedure type as the applications with which it is combined.
3. Authorization for Similar Uses. The responsible official may determine that a use, not specifically named in the allowed uses of a district, may be included among the allowed uses; provided, however, that a use already allowed in any other zoning district, except the industrial zoning districts, may not be permitted. The responsible official must find that the proposed use is similar in nature and has impacts on adjacent land uses and property similar to uses already allowed in the district. When this determination is made in conjunction with another application it shall be considered as the same type and subject to the same appeals process, pursuant to Chapter 40.500, as the associated application. When this determination is made without any associated application, but for a specific lot, it shall be considered a Type II process. If this determination is made without any associated application, and without a specific lot identified it shall be considered as a Type I process. This determination may be appealed at this stage or when the determination is used in a subsequent application for development.

(Amended: Ord. 2005-04-12)

B. Development Approvals Timeline – General.

1. Basic Rule. Preliminary approval of land divisions (Chapter 40.540), site plan approval (Section 40.520.040), uses subject to review and approval (R/A) (Section 40.520.020), approval of conditional use permits (Section 40.520.030), approval of planned unit developments (Section 40.520.080), approval of mixed use developments (Section 40.230.020), approval of master plans (Section 40.520.070), and approval of variances (Section 40.550.020), shall be valid for a period of five (5) years after approval. The right to develop an approved land division, site plan, use permitted subject to review and approval (R/A), conditional use permit, planned unit development or variance or part thereof expires five (5) years after the effective date of the decision approving such development, unless:
 - a. For land divisions – A fully complete application for a final plat has been submitted.
 - b. For use approvals that do not require a building permit – The permitted use has legally commenced on the premises.
 - c. For all other approvals – A building permit for the approved development has been issued and remains in effect, or a final occupancy permit has been issued.